

REMARKS

Claims 11 to 24 are now pending. Applicants respectfully request reconsideration of the present application in view of this response.

Claims 11 to 14 and 19 to 24 were rejected under 35 U.S.C. § 103(a) as unpatentable by U.S. Patent Publication No. 2005/0115491 to Burrows (“Burrows reference”).

The Burrows reference appears to concern different annealing processes in the fabrication of waveguides. Notwithstanding its attention to waveguides, the Burrows reference does not disclose or suggest the invention of claim 11.

Claims 11 of the present case concerns a method for desensitizing a crystal, and requires a doping of the crystal having nonlinear properties with extrinsic ions to enhance the dark conductivity of the crystal and the crystal being desensitized to damaging effects of intense exposure to light which cause light-induced variations in the refractive indices of the crystal. Further, throughout the Specification of Record, the invention of reducing optical damage in volume crystals is discussed in detail, e.g., at pages 13-14. And, Applicant respectfully submits – as discussed in the Specification of Record – that the method of the present invention **provides results from combinations that were not pursued in past times, as well as the importance of different levels of doping.** Further, with regard to the dependent claims, the Burrows reference does not indicate any similar levels of doping or of the same doping materials using the same method as the claims. While the doping of crystals has been occurring for some time, as discussed in Applicant’s Specification, specific levels such as those disclosed and claimed have not been. Caselaw supports this. Undue experimentation would be required in order to find the results as claimed and disclosed here. And, none of the earlier efforts involve the claimed invention.

Accordingly, Applicants respectfully submit that the Burrows reference does not render unpatentable claim 11 of the present invention. Claims 12 to 14 and 21 to 24 depend from claim 11 and are believed allowable for at least the same reasons. Each of the independent claims 19 and 20 recite features analogous to those of claim 11, and each is allowable for essentially the same reasons as claim 11. Withdrawal of the rejection under 35 U.S.C. § 103(a) of claims 11 to 14 and 19 to 24 is respectfully requested.

Claims 15 to 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over the Burrows reference in view of U.S. Patent No. 5,904,912 to Kitamura et al. (“Kitamura reference”).

Claims 15 to 18 depend ultimately from claim 11. Accordingly, those claims are believed allowable over the Burrows reference when taken alone. When the Burrows reference is read in combination with the Kitamura reference, the cited references still do not disclose or suggest the features claimed in claims 15 to 18. As explained above, the Burrows reference does not disclose or suggest all of the features claimed in claims 15 to 18, including the different levels of doping and doping materials.

Regarding the rejections, Applicant respectfully submits that it is not considered “common sense” as in *KSR v. Teleflex* if one must use Applicant’s invention essentially as a roadmap to learn how to bridge the prior art references together.

Applicants respectfully submit that claims 15 to 18 are allowable over the Burrows reference in combination with the Kitamura reference. ***Discussion regarding unexpected results is evidenced in the discussion of the various background efforts in the industry which did not achieve the reduction in optical damage in volume crystals, is mentioned in the Specification at pages 13 to 15.*** Withdrawal of the rejection under 35 U.S.C. § 103(a) of claim 15 to 18 is respectfully requested.

Accordingly, Applicants respectfully submit that the claims are allowable over the Burrows reference in combination with the Kitamura reference. Withdrawal of the rejection under 35 U.S.C. § 103(a) of claims 15 to 18, is respectfully requested.

In summary, it is respectfully submitted that all of rejected claims 11 to 24 are believed allowable for the foregoing reasons.

CONCLUSION

In view of the foregoing, it is believed that the rejections have been obviated, and that all claims 11 to 24 are allowable. It is therefore respectfully requested that the rejections be withdrawn, and that the present application issue as early as possible.

Respectfully submitted,

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